

**AMENDMENT TO THE CLAIMS:**

1.(currently amended): A data communication system having a data sending terminal which sends data to a network and changes data quality of the data sent to the network according to the network load and a receiving terminals terminal which receive the data from the network and accumulates the received data, said system comprising:

at the data receiving terminal

(a) a received-data quality discriminating section for discriminating whether or not ~~data to be received~~ the received data from the data sending terminal satisfies a predetermined accumulation quality;

(b) an alternative-data sending requesting section for, if the received data of a particular time section does not satisfy the accumulation quality caused by the data sending terminal changing of the data quality as the result of discrimination by said received-data quality discriminating section, requesting the data sending terminal to send alternative data having a data quality higher than the data quality of the received data and satisfying the accumulation quality for the received data of the particular time section;

(c) a received-data accumulating section for accumulating the received data as judged satisfying the accumulation quality by said received-data quality discriminating section, and the alternative data as sent from the data sending terminal in response to the request by said alternative-data sending requesting section;

at the data sending terminal

(d) an alternative-data sending request receiving section for receiving, from said alternative-data sending requesting section of the data receiving terminal, the request for sending of alternative data satisfying the accumulation quality;

(e) a sending-data accumulating section for accumulating data to be sent to the data receiving terminal as alternative data to be sent to the data receiving terminal in response to the sending request from the data receiving terminal; and

(f) an alternative-data sending section for, upon receipt of the sending request by said alternative-data sending request receiving section, obtaining alternative data satisfying the accumulation quality from accumulated contents of said sending-data accumulating section and then sending the obtained alternative data to the data receiving terminal.

2.(currently amended): A data receiving terminal for receiving and accumulating data from a network which data is sent by data sending terminal, which sends data to the network and changes data quality of the data sent to the network according to the network load, comprising:

(a) a received-data quality discriminating section for discriminating whether or not data to be received the received data from the data sending terminal satisfies a predetermined accumulation quality;

(b) an alternative-data sending requesting section for, if the received data of a particular section does not satisfy the accumulation quality caused by the data sending terminal changing of the data quality as the result of discrimination by said received-data quality discriminating section, requesting the data sending terminal to send alternative data having a data quality higher than the data quality of the received data and satisfying the accumulation quality for the received data of the particular section; and

(c) a received-data accumulating section for accumulating the received data as judged satisfying the accumulation quality by said received-data quality discriminating section, and the alternative data as sent from the data sending terminal in response to the request by said

alternative-data sending requesting section.

3.(original): A data receiving terminal according to claim 2, wherein said alternative-data sending requesting section is a differential-data sending requesting section for requesting differential data satisfying the accumulating quality as the alternative data by combining the data of a section unsatisfying the accumulation quality with the already received data.

4.(original): A data receiving terminal according to claim 2, wherein said received-data quality discriminating section discriminates the accumulation quality of the received data based on sending-data quality information about the quality of data to be sent from the data sending terminal.

5.(original): A data receiving terminal according to claim 2, wherein said received-data quality discriminating section previously receives from the data sending terminal quality kind information about the kind of quality of data to be sent from the data sending terminal, and then determines a satisfactory accumulation quality based on said quality kind information.

6.(currently amended): A data sending terminal for sending data to a data receiving terminal, via a network and changing data quality of the data sent to the network according to the network load, comprising:

(a) an alternative-data sending request receiving section for receiving a sending request[[],] for alternative data having a data quality higher than the data quality of the sending data and satisfying the accumulation quality, which is transmitted from a data receiving terminal

when the data receiving terminal determines that received data of a particular time section does not satisfy a predetermined accumulation quality caused by the data sending terminal changing of the data quality;

(b) a sending-data accumulating section for accumulating data to be sent to the data receiving terminal as alternative data to be sent to the data receiving terminal in response to the sending request received from the data receiving terminal; and

(c) an alternative-data sending section for, upon receipt of the sending request by said alternative-data sending request receiving section, obtaining alternative data satisfying the accumulation quality from accumulated contents of said sending-data accumulating section and then sending the obtained alternative data to the data receiving terminal.

7.(original): A data sending terminal according to claim 6, wherein:

said sending-data accumulating section is a differential-data accumulating section for accumulating differential data that is able to form sending data of a different quality as combined with the already sent data; and

said alternative-data sending section is a differential-data sending section for, upon receipt of the sending request of differential data satisfying the accumulation quality, as combined with the already received data for the data of a section satisfying the accumulation quality, from the data receiving terminal, obtaining the differential data from said differential-data accumulation section and then sending the obtained differential data to the data receiving terminal.

8.(original): A data sending terminal according to claim 6, further comprising a sending-

data quality information sending section for sending to the data receiving terminal sending-data quality information based on which the accumulation quality is to be discriminated at the data receiving terminal.

9.(original): A data sending terminal according to claim 6, further comprising a quality kind information sending section for previously sending, to the data receiving terminal, quality kind information on the data able to be sent to the data receiving terminal, based on which information the satisfactory accumulation quality is to be determined at the data receiving terminal.

10.(original): A data sending terminal according to claim 6, further an accumulation control section for deleting the sending data, which is accumulated in said sending-data accumulating section, from the sending data having lapsed a predetermined time.

11.(currently amended): A data receiving terminal for receiving and accumulating data from a network, said data sent by a data sending terminal which sends the data to the network and changes data quality of the data according to the network load, comprising:

(a) a received-data quality discriminating section for discriminating whether or not the received data satisfies a predetermined accumulation quality; and

(b) an alternative-data sending requesting section for, if the received data of a particular time section does not satisfy the predetermined accumulation quality caused by the changing of the data quality of the data sent by the data sending terminal as the result of discrimination by said received-data quality discriminating section, requesting [[a]] the data

sending terminal to send alternative data having a data quality higher than the data quality of the received data and satisfying the predetermined accumulation quality for the received data of the particular time section.

12.(currently amended): A data sending terminal for sending data to a data receiving terminal via a network and changing a data quality of the data according to the network load, comprising:

(a) an alternative-data sending request receiving section for receiving a request for sending of alternative data having a data quality higher than the data quality of the sending data and satisfying a predetermined accumulation quality for data of a particular time section to be sent from the data receiving terminal if the received data of the particular time section does not satisfy as the result of discrimination at the data receiving terminal caused by the changing of the data quality of the data sent by the data sending terminal; and

(b) an alternative-data sending section for, upon receipt of the sending request by said alternative-data sending request receiving section, sending alternative-data satisfying the predetermined accumulation quality to the data receiving terminal.

13.(new): A data transceiving method in a data communication system having a data sending terminal which sends data to a network and changes data quality of the data to be sent to the network according to the network load and a receiving terminal which receive the data from the network and accumulates the received data, comprising the steps of:

(a) requesting from the data receiving terminal to the data sending terminal, if the received data of a particular section at the data receiving terminal does not satisfy the

accumulation quality caused by the changing of the data quality of the data sent by the data sending terminal, to send alternative data having a data quality higher than the data quality of the received data and satisfying the accumulation quality for the received data of the particular section; and

(b) sending alternative-data from the data sending terminal to the data receiving terminal, having a data quality higher than the data quality of the sending data and satisfying the predetermined accumulation quality to the data receiving terminal, when the data sending terminal receives the sending request from the data receiving terminal.